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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/753,728	01/08/2004	Gabor Fulop	133538	6290

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EXAMINER

HODGES, MATTHEW P

ART UNIT	PAPER NUMBER
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2879

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/753,728

Applicant(s)

FULOP, GABOR

Examiner

Matt P. Hodges

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-11 and 13-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6,8-11 and 13-18 is/are rejected.
- 7) ☒ Claim(s) 7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

The Amendment, filed on 3/22/2007, has been entered and acknowledged by the Examiner.

Cancellation of claims 19 and 20 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 6, 8, 10, 11, and 13-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Wakimizu et al. (US 5,126,619).

Regarding claim 1, Wakimizu discloses (see figure 3) a lamp including a lamp base (20) with a stem, two leads (22 and 24) extending from the stem and defining a first plane, a translucent outer envelope (50), a halogen inner lamp light source (10) including pinched seal portions (13a and 13b) that define a second plane. The pinch seal portion is substantially rectangular and includes two orthogonal planes, for the purposes of examination the second plane will be selected from the plane orthogonal to the first plane. The first and second planes are substantially perpendicular. (Column 3 lines 14-37)

Regarding claim 2, Wakimizu discloses the use of a longer lead portion (24).

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Regarding claims 3 and 4, Wakimizu further discloses a strap (32) that is attached to the free end of the longer lead and the pinched seal of the inner lamp source.

Regarding claim 6, Wakimizu discloses the use of a lead through foil for the longer pinched in portion.

Regarding claim 8, Wakimizu further discloses a second pinched end opposite the first pinched end. (See figure 1)

Regarding claim 10, Wakimizu further discloses the manufacture of the device as described in the rejection of claim 1 above.

Regarding claim 11, Wakimizu further discloses the use of a mechanical connection (30a) located between the pinched end and the leads, where the mechanical connection supports the inner lamp. (See figure 3)

Regarding claim 13, Wakimizu further discloses providing a strap (30a) between the pinched end and the free portion of a lead.

Regarding claim 14, Wakimizu discloses the use of metal leads that are trimmed to different lengths.

Regarding claim 15, Wakimizu alternatively discloses the attachment of a strap (32) to the longer lead and the strap supporting the lamp.

Regarding claim 16, both pinch seal ends are located in the vicinity of the stem and the pinch seal is located between the longer lead and the stem portion.

Regarding claims 17 and 18, claims 17 and 18 are rejected for the reasons provided in the rejection of claims 3 and 4 above.

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Claims 1-4, 8, 10, 11, and 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Bergman et al. (US 5,610,469).

Regarding claim 1, Bergman discloses (see figures 1 and 2) a lamp including a lamp base (28) with a stem (32), two leads (30) extending from the stem and defining a first plane, a translucent outer envelope (18), a halogen inner lamp light source (12) including pinched seal portions (42) that define a second plane. The second plane is the plane of the bottom portion of the pinch seal. The first and second planes are substantially perpendicular. (Column 3 lines 14-37)

Regarding claim 2, Bergman discloses the use of a lead extender (54) that serves to lengthen one of the two leads and connect the lead to the inner lamp lead.

Regarding claims 3 and 4, Bergman further discloses a strap (52) that is attached to the free end of the longer lead and the pinched seal of the inner lamp source.

Regarding claim 8, Bergman further discloses a second pinched end opposite the first pinched end. (See figure 1)

Regarding claim 10, Bergman further discloses the manufacture of the device as described in the rejection of claim 1 above.

Regarding claim 11, Bergman further discloses the use of a mechanical connection (52) located between the pinched end and the leads, where the mechanical connection supports the inner lamp. (See figure 1)

Regarding claim 13, Bergman further discloses providing a strap (52) between the pinched end and the free portion of a lead.

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Regarding claim 14, Bergman discloses the use of metal leads that are trimmed to different lengths. The longer lead being a combination of lead portion 30 and lead extender 54.

Regarding claim 15, Bergman discloses the attachment of the strap to the longer lead.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bergman et al. (US 5,610,469) in view of Michel et al. (US 6,400,077)

Regarding claim 9, Bergman discloses the device as claimed (see rejection of claim 1 above) but does not appear to specify the use of an inner lamp with a single pinched end. However Michel, in the same field of endeavor, disclose (see figure 2) the use of a lamp portion including a seal portion with two leads. The use of a bent tube allows for a longer filament in the same vertical length thereby allowing for higher brightness. Thus, it would have been obvious at the time the invention was made to a person having ordinary skills in the art to incorporate an inner lamp with a single pinched end as taught by Michel into the device as disclosed by Bergman in order to advantageously for higher brightness.

Allowable Subject Matter

Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 7, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 7, and specifically comprising the limitation of a lamp including leads from the stem forming a first plane, an inner lamp with a pinch seal forming a second plane defined by the metal foil inside the pinch seal portion, where the seal is located between the leads and where the first and second plane are perpendicular.

Conclusion

Since new rejections have been applied to previously indicated allowable subject matter, the prosecution is reopened and the action is made non-final.

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matt P Hodges whose telephone number is (571) 272-2454. The examiner can normally be reached on 7:30 AM to 4:00 PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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